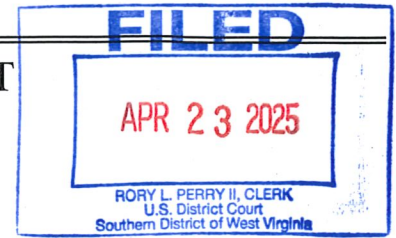


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the



Tanishyria Allen
Petitioner

v.

1:25-cv-00269
Case No. 1:23-CR-00054-MAC-CL
(Supplied by Clerk of Court)

Auderson Federal Prison Camp
Respondent Lefever, Warden
(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Tanishyria Allen
- (b) Other names you have used:
2. Place of confinement:
 - (a) Name of institution: Auderson Federal Prison Camp
 - (b) Address: PO BOX A Glen Ray RD
Auderson WV 24910
 - (c) Your identification number: 59631-510
3. Are you currently being held on orders by:

☒ Federal authorities
 ☐ State authorities
 ☐ Other - explain:
4. Are you currently:

☐ A pretrial detainee (waiting for trial on criminal charges)
 ☒ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

 - (a) Name and location of court that sentenced you: Eastern District, Texas
 - (b) Docket number of criminal case: 1:23-CR-00054-MAC-CL
 - (c) Date of sentencing: 8-29-2024

☐ Being held on an immigration charge
 ☐ Other (explain):

Decision or Action You Are Challenging

5. What are you challenging in this petition:

☒ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- ☐ Pretrial detention
- ☐ Immigration detention
- ☐ Detainer
- ☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- ☐ Disciplinary proceedings
- ☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court:

Federal B.O.P.

(b) Docket number, case number, or opinion number: 1:23-CR-00054-MAC-CLS(1)

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

time calculation

(d) Date of the decision or action: 11-01-2024

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes

☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal:

Did not understand options

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes

☐ No

N/A

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. Third appeal

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes☒ No

W/A

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

W/A

10. Motion under 28 U.S.C. § 2255

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes☐ No

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If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☐ Yes

☒ No

If "Yes," provide:

(a) Date you were taken into immigration custody: _____

(b) Date of the removal or reinstatement order: _____

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☐ No

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If "Yes," provide:

(1) Date of filing: _____

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: _____

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Date of filing: _____

(3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes

☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE:

Good time Credit Calculation

Federal inmates are eligible for 54 good days yearly

(a) Supporting facts (Be brief. Do not cite cases or law.):

Federal B.O.P. awards GTC; also allow withholding or forfeiture but only for disciplinary reasons, and only for months incident happens

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes☒ No**GROUND TWO:**

First Step Act not being computed using maximum projected release date. Federal inmates under certain U.S.C. codes eligible for pre-release credits when completing

(a) Supporting facts (Be brief. Do not cite cases or law.): recommended course

Federal laws enacted in 2018 allows for 10 days per month for 6 months for participating in approved programs and 15 days a month for the rest of your time with the B.O.P.

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes☒ No**GROUND THREE:**

Denial Federally mandated Pre-release of 10% percent of your sentence a 6 months whatever is less.

But Alderson refuses to include Pre-release in computation sheets.

(a) Supporting facts (Be brief. Do not cite cases or law.):

F.S.A. laws allows F.S.A. credits to be applied to pre-release date not remove the pre-release eligibility

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes☒ No

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GROUND FOUR:

~~See~~ Denial Counsel refusal to apply (5) factors to second chance act credits to ensure my safe and successful transition back into society.

(a) Supporting facts (Be brief. Do not cite cases or law.):

Per unit team, ms walter, ms Henderick, ms Dillon I was only recommend for the Standard 6 months because "that's all we give" and "no beds available"

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes☒ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do:

I request for all my eligible, mandated, or and recommended time credits be applied using Federal laws, B.O.P. policies and procedures with time credits beginning on 1st day of sentence; not 1st date at facility. Also use maximum projected time credits permissible by laws, policies & procedures.

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Declaration Under Penalty Of Perjury

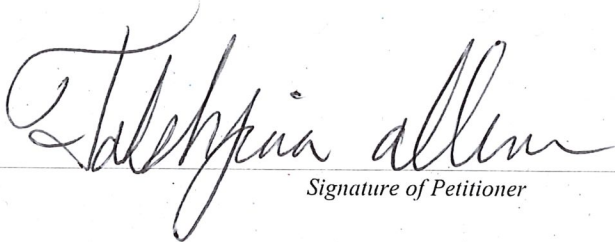
If you are incarcerated, on what date did you place this petition in the prison mail system:

4-18-25

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date:

4-18-25



Signature of Petitioner

Signature of Attorney or other authorized person, if any